

Atty. Dkt. No. 071344-0306

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hein et al.
 Title: TRANSGENIC PLANTS
 EXPRESSING ASSEMBLED
 SECRETORY ANTIBODIES
 Appl. No.: 09/491,322
 Filing Date: 01/25/2000
 Examiner: C. Collilns
 Art Unit: 1638

CERTIFICATE OF FACSIMILE TRANSMISSION	
I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.	
<i>Germaine Sarda</i>	Germaine Sarda
<i>(Signature)</i>	(Printed Name)
<i>September 16, 2004</i>	September 16, 2004
<i>(Date of Deposit)</i>	(Date of Deposit)

PAYMENT OF DEFICIENCY OWED DUE TO AN ERROR IN SMALL ENTITY STATUS UNDER 37 C.F.R. § 1.28(c)

Commissioner for Patents
 PO Box 1450
 Alexandria, Virginia 22313-1450

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SEP 16 2004

Sir:

Applicant herewith submits payment due for prior fees paid by mistake as a Small Entity.
 The deficiency was associated with an Amendment filed on April 6, 2004 (copy attached).
 Applicant inadvertently paid Small Entity Status for the following:

- Petition for 3-months Extension of Time.
 Amount Due: \$950
 Amount Previously Paid: \$475
 Amount to charge to Deposit Account No. 50-0872: \$475
- Statutory Disclaimer Fee Under 37 C.F.R. § 1.20(d).
 Amount Due: \$440
 Amount Previously Paid: \$220
 Amount to charge to Deposit Account No. 50-0872: \$220

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[X] The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	60	-	78	=	0	x	\$18.00	=	\$0.00
Independent Claims:	3	-	5	=	0	x	\$86.00	=	\$0.00
First presentation of any Multiple Dependent Claims:							+	\$290.00	= \$0.00
CLAIMS FEE TOTAL									= \$0.00

[X] On April 6, 2004, Applicant previously petitioned for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[] Extension for response filed with in the first month:	\$110.00	\$0.00
[] Extension for response filed within the second month:	\$420.00	\$0.00
[X] Extension for response filed within the third month:	\$950.00	\$950.00
[] Extension for response filed within the fourth month:	\$1,480.00	\$0.00
[] Extension for response filed within the fifth month:	\$2,010.00	\$0.00
EXTENSION FEE TOTAL:		\$950.00
[X] Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	\$440.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$1390.00
[X]	AMOUNT PREVIOUSLY PAID:	\$695.00
TOTAL FEE:		\$695.00

[X] Please charge Deposit Account No. 50-0872 in the amount of \$695.00. A duplicate copy of this transmittal is enclosed.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed

Atty. Dkt. No. 071344-0306

for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date September 16, 2004

By Barry Wilson

FOLEY & LARDNER LLP
P.O. Box 80278
San Diego, California 92138-0278
Telephone: (858) 847-6722
Facsimile: (858) 792-6773

Barry S. Wilson
Attorney for Applicant
Registration No. 39,431

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STATUS UNDER 37 C.F.R. § 1.28(c)**

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Alexandria, Virginia 22313-1450

DUPLICATE

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